

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
(Indianapolis Division)**

RED BARN MOTORS, INC.,	*	DOCKET NO. 1:14-cv-01589-TWP-DKL
PLATINUM MOTORS, INC.,	*	
MATTINGLY AUTO SALES, INC.,	*	CLASS ACTION
YOUNG EXECUTIVE MANAGEMENT	*	Jury Trial Demanded
& CONSULTING SERVICES, INC.,	*	
Individually, and on behalf of other	*	
members of the general public	*	
similarly situated	*	
	*	
v.	*	
	*	
COX ENTERPRISES, INC.,	*	
COX AUTOMOTIVE, INC.,	*	
NEXTGEAR CAPITAL, INC.,	*	
F/K/A DEALER SERVICES	*	
CORPORATION, successor by merger	*	
with Manheim Automotive Financial	*	
Services, Inc., and JOHN WICK	*	
	*	

**PLATINUM MOTORS, INC.'S SUPPLEMENTAL AND AMENDED
RESPONSES TO NEXTGEAR CAPITAL, INC.'S FIRST SET OF INTERROGATORIES**

NOW INTO COURT, through undersigned counsel, comes plaintiff, Platinum Motors, Inc. (“Platinum Motors”), which, pursuant to Federal Rule of Civil Procedure 33, provides these supplemental and amended responses to the First Set of Interrogatories from NextGear Capital, Inc. (“NextGear/DSC”) as follows. The general objections set forth in Platinum Motors’ original responses dated September 16, 2016, along with the responses contained therein and not amended below, are incorporated herein by reference.

INTERROGATORY NO. 9:

Describe in detail all facts supporting the allegation in Paragraph 116 of the Amended Complaint that Defendants agreed to conduct or participate in the conduct, management, and/or operation of a RICO enterprise's affairs. Include in your response facts supporting this allegation as it relates to each Defendant individually.

AMENDED RESPONSE TO INTERROGATORY NO. 9:

Platinum Motors objects to Interrogatory No. 9 on the grounds that it is premature at this early stage of litigation. Platinum Motors also objects on the grounds that it is overly broad and unduly burdensome and insofar as it seeks information that is in Defendants' control or possession or to which Defendants have superior access. Subject to the foregoing specific and general objections, Platinum Motors responds at this stage by directing the Defendants to Rec. Doc. No. 89-2, and specifically paragraphs 3, 4, and 98. As set forth therein, Cox Automotive, Inc. owns NextGear, as well as Manheim and other companies, and Cox Enterprises, Inc. owns Cox Automotive as well as other Cox entities. The Defendants used the auctions which they own, along with their relationships with other auctions, to blacklist Plaintiffs, including Platinum Motors.

INTERROGATORY NO. 10:

Describe in detail all facts supporting the allegation in Paragraph 116 of the Amended Complaint that Cox Enterprises, Inc. agreed to conduct or participate in the conduct, management, and/or operation of a RICO enterprise's affairs.

AMENDED RESPONSE TO INTERROGATORY NO. 10

In response to Interrogatory No. 10, Platinum Motors incorporates its objections and responses to Interrogatory No. 9 above.

INTERROGATORY NO. 11:

Describe in detail all facts supporting the allegation in Paragraph 116 of the Amended Complaint that Cox Automotive, Inc. agreed to conduct or participate in the conduct, management, and/or operation of a RICO enterprise's affairs.

AMENDED RESPONSE TO INTERROGATORY NO. 11:

In response to Interrogatory No. 11, Platinum Motors incorporates its objections and responses to Interrogatory No. 9 above.

INTERROGATORY NO. 12:

Describe in detail all facts supporting the allegation in Paragraph 116 of the Amended Complaint that John Wick agreed to conduct or participate in the conduct, management, and/or operation of a RICO enterprise's affairs.

AMENDED RESPONSE TO INTERROGATORY NO. 12:

In response to Interrogatory No. 12, Platinum Motors incorporates its objections and responses to Interrogatory No. 9 above.

INTERROGATORY NO. 14:

Provide a detailed itemization of Your alleged damages, broken down by the categories alleged in Paragraphs 126 and 154 of the Amended Complaint.